

REMARKS

Claims 19-37 are pending. Claims 1 to 18, 22 and 29 are currently canceled, without prejudice or disclaimer. Claims 32 to 37 have been withdrawn from consideration. Claims 19, 21, 23, 28 and 30 to 33 are currently amended. Claims 38 to 40 have been added. Reconsideration of the application is requested. Support for the amendment to claim 19 can be found, for example, on page 13, line 33 of the present application. Support for new claim 38 can be found on page 10, lines 23-25. Support for new claim 39 can be found in previously presented claims 1, 24 and 31, as well as page 10, lines 23-25 and page 13, line 33. Support for new claim 40 can be found in previously presented claim 27.

37 CFR §1.83(a) Drawing Objection

The drawings were objected to under 37 CFR 1.83(a) for not showing every feature of the invention specified in the claims. In particular, the Office Action states that the drawings must be amended to show a "water removal system" or this feature must be canceled from the claim(s). This objection is respectfully traversed.

There is no reason expressed in the Office Action for why the term "water removal system" must be shown in a drawing. In fact, the examined claims are directed to a method of making a molded preform for use in an exhaust system component of an exhaust system of an internal combustion engine. MPEP §601.01(f) states:

It has been USPTO practice to treat an application that contains at least one process or method claim as an application for which a drawing is not necessary for an understanding of the invention under 35 U.S.C. 113 (first sentence).

Therefore, it is respectfully submitted that the objection to the drawings is improper and should be withdrawn. However, since the Office Action states that the application would go abandoned if the "water removal system" feature is not either shown in the drawings or removed from the claims, this feature has been removed from the claims, but under duress.

§ 112 Rejections

Claims 21-29 were rejected under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

In reply, claims 21 and 23 have been amended to now recite “magnesium” aluminum silicate glass fibers. Claim 28 has been cancelled. Claim 29 has been amended to now recite the “screen” rather than “the water removal screen”. With these amendments, the rejection of claims 21-29 under 35 USC § 112, second paragraph, has been overcome, and this rejection should be withdrawn.

§ 102 and 103 Rejections

Claims 19 and 29-30 are rejected under 35 USC § 102(b) as being anticipated by Langer (US 5,869,010). Claims 19-23 and 30 are rejected under 35 USC § 102(b) as being anticipated by Rogers (US 5,290,522) (with reference to Langer (US 5,869,010)). Claims 20-23 and 25-26 are rejected under 35 USC § 103(a) as being unpatentable over Langer (US 5,869,010) in view of Rogers (US 5,290,522). Claims 24 and 27 are rejected under 35 USC § 103(a) as being unpatentable over Langer (US 5,869,010) or Rogers in view of Langer ‘059 (5,523,059). Claim 28 is rejected under 35 USC § 103(a) as being unpatentable over Langer (US 5,869,010) or Rogers in view of Langer ‘059 (5,523,059), as applied to claim 27, in further view of Honma (US 6,436,598). Claim 31 is rejected under 35 USC § 103(a) as being unpatentable over Langer (US 5,869,010) or Rogers in view of Applicant Admitted Prior Art (AAPA hereinafter)

In light of the above amendments to the claims, it is submitted that the pending claims are patentable over the cited art. Accordingly, these rejections should be withdrawn.

Request for Rejoinder

Rejoinder of claims 32-37 is respectfully requested.

In view of the above, it is submitted that the application is in condition for allowance.
Examination and reconsideration of the application as amended is requested.

Respectfully submitted,

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